

260 CMR: BOARD OF REGISTRATION OF SPEECH-LANGUAGE  
PATHOLOGY AND AUDIOLOGY

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**260 CMR**

**BOARD OF REGISTRATION OF  
SPEECH LANGUAGE PATHOLOGY & AUDIOLOGY**

<b>260 CMR</b>	<b>1.00</b>	<b>STANDARDS, COMPLAINT &amp; GRIEVANCE PROCEDURES</b>
	<b>2.00</b>	<b>APPLICATION AND LICENSING REQUIREMENTS</b>
	<b>3.00</b>	<b>RESERVED</b>
	<b>4.00</b>	<b>RESERVED</b>
	<b>5.00</b>	<b>RENEWAL PROCEDURES</b>
	<b>6.00</b>	<b>RESERVED</b>
	<b>7.00</b>	<b>CONTINUING EDUCATION</b>
	<b>8.00</b>	<b>LOCATION OF LICENSEES</b>
	<b>9.00</b>	<b>RESERVED</b>
	<b>10.00</b>	<b>USE AND SUPERVISION OF SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY ASSISTANTS</b>

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260 CMR 1.00: STANDARDS, COMPLAINT AND GRIEVANCE PROCEDURE

Section

- 1.01: Definitions
- 1.02: Misrepresentation/Unlicensed Practice
- 1.03: Grounds for Imposition of Disciplinary Sanctions
- 1.04: Requirement to Respond to the Board
- 1.05: Adjudicatory Hearing
- 1.06: Disposition and Sanctions

1.01: Definitions

For purposes of 260 CMR 1.0 through 10.0 the following terms shall have the following meanings.

Audiologist. Any person who is duly licensed as an audiologist by the Board and who engages in the practice of Audiology.

Audiology.

(a) The application of principles, methods, procedures of measurement, testing, appraisal, prediction, consultation, counseling, instruction, and research related to hearing and disorders of hearing for the purpose of modifying communication disorders involving speech, language, auditory function or other aberrant behavior related to hearing loss. In addition, this person determines range, type, and degree of hearing function related to the patient's auditory efficiency and communication needs. This person may plan, direct, conduct, or participate in identification and hearing conservation programs, and habilitative and rehabilitative programs for the hearing impaired. These may include, but are not limited to hearing aid evaluations, hearing aid recommendations, fitting and dispensing, counseling, guidance, auditory training, speech reading, language development, and speech conservation.

(b) The performance of nondiagnostic speech and language screening, either for purposes of performing an audiological evaluation or for the initial identification of individuals with other communication disorders.

(c) The ability to provide aural habilitation/rehabilitation services, for which the Audiologist has been properly trained, to the hearing impaired.

Audiology Assistant. A person duly certified by the Board who assists in the practice of audiology and who works under the supervision and direction of a duly licensed Audiologist.

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Aide. A person who performs non-treatment activities for a speech-language pathologist, audiologist, or an assistant.

ASHA. The American Speech-Language-Hearing Association

ASHA Code of Ethics. The Code of Ethics, January 1, 2003; ASHA Desk Reference 2002, Vol. A, Cardinal Documents of the Association, adopted by the Board for practice as a Speech-Language Pathologist or Audiologist.

Board. Board shall refer to the Board of Registration for Speech-Language Pathology and Audiology of the Commonwealth of Massachusetts.

Board Recognized Entity. ASHA, Massachusetts Speech-Language-Hearing Association, American Academy of Audiology or such other entities as the Board may designate.

Continuing Education Activities: Continuing education activities consist of:

- (a) Continuing Education Program. A formal learning program with specific learning objectives relevant to the science or practice of Speech-Language Pathology or Audiology and where such program is sponsored by a Board Recognized Entity;
- (b) Continuing Education Academic Course. A graduate level course relevant to the science or practice of Speech-Language Pathology or Audiology offered by an accredited university or institution of higher education, where the course is based on an organized effort directed toward accomplishing major objectives.
- (c) Continuing Education Publication. A published book, a chapter of a published book, and/or an article in a refereed journal or published by a Board Recognized Entity, where the book, chapter or article is relevant to the science or practice of Speech-Language Pathology or Audiology;

Continuing Education Hour: The unit of measurement for a Continuing Education Activity lasting 60 consecutive minutes.

Continuing Education Unit (CEU). A CEU is the ASHA standard for continuing education as established by the International Association for Continuing Education and Training. 0.1 CEU is equivalent to one Continuing Education Hour.

Division. The Division of Professional Licensure.

License. For the purposes of 260 CMR 1.0 through 10.0 the term “license” or “licensed” shall mean the authority to practice as a Speech-Language Pathologist or Audiologist through licensure by the Board, or the authority to practice as a Speech-Language Pathology Assistant or Audiology Assistant through certification by the Board.

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Licensee. For the purposes of 260 CMR 1.0 through 10.0 the term “licensee” shall include Speech-Language Pathologists and Audiologists licensed by the Board and Speech-Language Pathology Assistants and Audiology Assistants certified by the Board except where specified.

Speech-Language Pathologist. Any person who is duly licensed as a speech-language pathologist by the Board and who engages in the practice of Speech-Language Pathology.

Speech-Language Pathology.

- (a) The application of principles, methods, and procedures for the measurement, testing, identification, appraisal, prediction, consultation, counseling, instruction and research related to the development and disorders of speech, voice, or language for the purpose of diagnosing, designing and implementing programs for the amelioration of such disorders and conditions.
- (b) The performance of nondiagnostic audiological screening, either for purposes of performing a speech and language evaluation or for the initial identification of individuals with other communication disorders.
- (c) (c) The ability to provide aural habilitation/rehabilitation services, for which the Speech-Language Pathologist has been properly trained, to the hearing impaired.

Speech-Language Pathology Assistant. A person duly certified by the Board who assists in the practice of speech-language pathology and who works under the supervision and direction of a duly licensed Speech-Language Pathologist.

1.02: Misrepresentation/Unlicensed Practice

(1) No person may represent oneself, or one's services by using the words audiologist, audiology assistant, audiometric technician, or audiology or any similar titles or descriptions unless one has been duly licensed as an Audiologist or an Audiology Assistant. Use of such terms must properly reflect the Licensee's scope of practice as set out in regulatory definitions in 260 CMR 1.01 or scope of practice as defined 260 CMR 10.03.

(2) No person may represent oneself, or one's services by using the words speech-language pathologist, speech-language pathology assistant, speech pathologist, speech therapist, speech correctionist, speech clinician, language pathologist, aphasiologist, voice pathologist, voice therapist, language therapist, logopedist, communication disorders, or any similar titles or descriptions unless one has been duly licensed as a Speech-Language Pathologist or as a Speech-Language Pathology Assistant. Use of such terms must properly reflect the Licensee's scope of practice as set out in regulatory definitions in 260 CMR 1.01 or scope of practice as defined 260 CMR 10.03.

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(3) No person shall engage in the practice of Audiology unless he or she is duly licensed by the Board.

(4) No person shall engage in the practice of Speech-Language Pathology unless he or she is duly licensed by the Board.

(5) The student who has not completed his or her professional preparation must not provide speech-language pathology or audiology services except in a supervised clinical practicum situation as part of his or her training. The student must not accept remuneration for services. The receipt of stipends for undergraduate or graduate study shall not be construed to violate 260 CMR 1.02(5).

1.03: Grounds for Imposition of Disciplinary Sanctions

The Board may, pursuant to 260 CMR 1.06, take disciplinary action against a Speech-Language Pathologist or Audiologist or a Speech-Language Pathology Assistant or Audiology Assistant. Grounds for such disciplinary action shall include but not be limited to:

(1) engaging in, authorizing, or aiding or abetting fraud, deceit, misrepresentation of material facts, the provision of false or forged evidence, or bribery in connection with any application for any License or certification which may be issued by the Board or in connection with any application for reinstatement of a License or certification issued by the Board;

(2) violating any provision of the laws of the Commonwealth relating to the practice of speech-language pathology and audiology or any rule or regulation adopted thereunder;

(3) committing professional misconduct or negligence in the practice of speech-language pathology or audiology;

(4) using drugs or alcohol to an extent which adversely affect his/her professional competence;

(5) having been convicted of any crime including any misdemeanor or felony under the law of the Commonwealth of Massachusetts, the United States or laws of another jurisdiction which if committed in Massachusetts would constitute a crime under Massachusetts law;

(6) having been disciplined by another state or jurisdiction, provided that the conduct disciplined in another state or jurisdiction constitutes a violation of Massachusetts law;

(7) having continued to practice while his or her registration is lapsed/expired, suspended, or revoked;

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- (8) failing to possess the appropriate qualifications as outlined in the M.G.L. c. 112, §§ 138 through 147, M.G.L. c. 13, §§ 85 through 87 and 260 CMR 2.00;
- (9) having provided services for which he or she is not appropriately licensed;
- (10) failing to commensurate fees with services rendered;
- (11) failing to take all reasonable precautions to avoid injuring persons in the delivery of professional services;
- (12) failing to conduct himself or herself professionally;
- (13) failing to hold responsibility for all speech-language pathology or audiology services provided to persons being served by him or her;
- (14) failing to provide accurate information to persons served professionally and to the public about the nature and management of communication disorders, and about the profession and services rendered by its practitioners;
- (15) failing to maintain objectivity in all matters concerning the welfare of persons served professionally;
- (16) failing to establish and maintain an adequate, confidential, legible, secure, and accurate written case record for each patient. The Licensee shall furnish a copy of the patient's case record to the patient to whom that record pertains, or to the patient's authorized representative, upon request.

Applicable only to Speech-Language Pathologists and Audiologists:

- (17) failing to comply with the ASHA Code of Ethics, January 1, 2003; ASHA Desk Reference 2002, Vol. A, Cardinal Documents of the Association;
- (18) failing to hold responsibility for all speech-language pathology or audiology services provided by any of his or her agents, supervisees or employees, and shall be responsible for any and all acts or omissions of such agents or employees;
- (19) failing to dispense communication related products in observance with the following standards:
  - 1. Products associated with professional practice must be dispensed to persons served as a part of a program of comprehensive habilitative/rehabilitative care.
  - 2. Fees established for professional services must be determined independent of whether a product is dispensed.
  - 3. No professional shall require that any person served obtain a service or product from a particular source.

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4. Price information about professional services rendered and products dispensed must be disclosed by providing to persons served a complete schedule of fees and charges in advance of rendering services, which schedule differentiates between fees for professional services and charges for products dispensed.
5. Products dispensed to the person served shall be evaluated to determine effectiveness.

1.04: Requirement to Respond to the Board

(1) A licensee shall respond within 30 days to a written communication from the Board or its designee and shall make available to the Board any relevant and authorized records with respect to an inquiry or complaint about the licensee's professional conduct.

(2) A licensee shall cooperate with any reasonable request from a Division agent or employee acting on behalf of the Board.

1.05: Adjudicatory Hearing

Whenever the Board determines that a complaint warrants an adjudicatory hearing, all adjudicatory proceedings before the Board are governed by M.G.L. c. 30A, M.G.L. c. 112 § 62, and 801 CMR 1.00: *Standard Rules of Practice and Procedure* as promulgated by the Executive Office of Administration and Finance.

1.06: Disposition and Sanctions

The Board may, by a majority vote and upon determination made after a hearing pursuant to M.G. L. c. 30A, find that a licensee has violated the provisions of MGL c.112, §§ 138-147 or M.G.L. c.112, § 61, 260 CMR 1.00 through 10.00, and impose sanctions, fines and penalties as set out in M.G.L. c.112, § 138-147, and M.G.L. c.112 § 61-65.

REGULATORY AUTHORITY

260 CMR 1.00: M.G.L. c. 112, §§ 138 through 147; c. 13, §§ 85 through 87

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CHAPTER 2.00: APPLICATION AND LICENSING REQUIREMENTS

Section

- 2.01: Application Procedures
- 2.02: Good Moral Character Requirement
- 2.03: Educational, Supervised Professional Practice, and Examination Requirements
- 2.04: Reciprocal Licensure

2.01: Application Procedures

(1) Application must be made on forms furnished by the Board. Applicants are required to have a full understanding of the Board's governing statutes (M.G.L. c. 112, §§ 138 through 147) and regulations (260 CMR).

(2) No application shall be acted upon by the Board unless said application is made on forms which are furnished by the Board, and unless said application is completely and properly filled out, signed under the penalties of perjury, includes designated fees, and is accompanied by such other information as the Board requires.

(3) Before commencing employment in the Commonwealth as a Speech-Language Pathologist, Audiologist, Speech-Language Pathology Assistant, or Audiology Assistant the applicant must first secure a license from the Board.

(4) There will be no proration of fees for those applying between renewal dates.

(5) An individual seeking licensure as both a Speech-Language Pathologist and an Audiologist must make separate application for each license and will be required to pay the relevant fees for each license.

(6) An individual seeking licensure as both a Speech-Language Pathology Assistant and an Audiology Assistant must make separate application for each license and will be required to pay the relevant fees for each license.

2.02: Good Moral Character Requirement

(1) An application for registration as a Speech-Language Pathologist, Audiologist, Speech-Language Pathology Assistant, or Audiology Assistant, whether by examination pursuant to 260 CMR 2.03 or by reciprocity pursuant to 260 CMR 2.04, shall be accompanied by such written documentation as the Board may reasonably require in order to determine whether the applicant is of good moral character.

(2) If the Board receives information about an applicant for registration which reasonably raises a question about whether that applicant is of good moral character, the Board



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shall conduct a further inquiry into the relevant facts and circumstances before making a final decision on the application.

- (a) If the Board determines, in its discretion, that such steps are reasonably necessary, the Board may require the applicant to appear personally before the Board, and/or furnish additional written information to the extent permitted by applicable state or federal law.
  - (b) The burden of demonstrating that the applicant possesses the good moral character required for registration shall rest with the applicant.
- (3) Conduct which reasonably raises a question about whether an applicant possesses the good moral character required for registration includes, but is not necessarily limited to, any of the following:
- (a) Conviction of any criminal offense, other than a routine traffic violation;
  - (b) Disciplinary action taken against any professional license, registration or certification held by the applicant, or denial of licensure, by the applicable governmental authority of any state, territory or political subdivision of the United States or Canada; or
  - (c) Conduct which is not within the meaning of 260 CMR 1.03 or 260 CMR 2.02(3)(b) above, but which nevertheless involves any of the following:
    - 1. Failure to exercise proper regard for the applicant's own health, welfare or safety;
    - 2. Failure to exercise proper regard for the health, welfare, safety or legal rights of another person; or
    - 3. Fraud, deception or lack of honesty or truthfulness.
- (4) For purposes of 260 CMR 2.02(3) above, the term "conviction" means any of the following:
- (a) a final judgment entered after a jury verdict of guilty or a judicial finding of guilty;
  - (b) a plea of guilty;
  - (c) a plea of *no lo contendere* (no contest); or
  - (d) any other plea or finding which is treated by the court as a plea or finding of guilty.

The above standards shall apply regardless of the law of the jurisdiction in which the disposition occurred.

- (5) For purposes of 260 CMR 2.02(3) above, the term "disciplinary action" means any of the following:
- (a) Denial of a license, registration or certification for any reason other than failure to meet the educational, experiential or examination requirements established by applicable law or regulation for that license, registration or certification;
  - (b) Refusal to issue a license, registration or certification for any reason other than failure to meet the educational, experiential or examination requirements established by applicable law or regulation for that license, registration or certification;
  - (c) Revocation or suspension of a license, registration or certification;

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- (d) Placement of a license, registration or certification on probation;
  - (e) Issuance of a letter of censure;
  - (f) Issuance of a written reprimand; or
  - (g) Any other adverse action against the applicant's license, registration or certification which constitutes "disciplinary action" under the applicable laws and/or regulations of the jurisdiction in which that adverse action was taken.
- (6) In determining whether an application for registration should be denied because the applicant has been convicted of a criminal offense, within the meaning of 260 CMR 2.02(3)(a), or the applicant has been the subject of a disciplinary action by the applicable governmental authority of another jurisdiction, within the meaning of 260 CMR 2.02(3)(b), the Board shall consider all of the relevant facts and circumstances, including but not limited to the following:
- (a) The nature of the criminal offense(s) or conduct which gave rise to the disciplinary action;
  - (b) The date of the criminal conviction(s) or date of the disciplinary action;
  - (c) The age of the applicant at the time of the criminal conviction(s) or age and level of professional experience at the time of the conduct which gave rise to the disciplinary action;
  - (d) The number of criminal conviction(s) or number of disciplinary actions taken against the applicant;
  - (e) The nature and severity of the sentence or sanction imposed for each criminal conviction or nature and severity of the disciplinary sanction(s) imposed;
  - (f) Whether the conduct which gave rise to the criminal conviction or disciplinary action demonstrates an intentional or deliberate disregard for the life, health, safety or welfare of others;
  - (g) Whether the conduct which gave rise to the criminal conviction involved the commission of acts of physical or sexual violence or coercion against another person;
  - (h) Whether the conduct which gave rise to the criminal conviction or disciplinary action otherwise poses a continued or continuing risk to the health, safety or welfare of the public;
  - (i) Whether the conduct which gave rise to the criminal conviction or disciplinary action involved trafficking in, or illegally manufacturing, controlled substances as defined by applicable state or federal law;
  - (j) Whether the conduct which gave rise to the criminal conviction or disciplinary action involves fraud, deception, a lack of honesty, a lack of truthfulness or veracity, or a lack of personal integrity or trustworthiness;
  - (k) Whether there is a significant relationship between the conduct which gave rise to the criminal conviction or disciplinary action and the nature of the activities which the applicant will be authorized to perform if the registration is granted;

2.03: Educational, Supervised Professional Practice, and Examination Requirements

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To be licensed as a Speech-Language Pathologist, Audiologist, Speech-Language Pathology Assistant, or Audiology Assistant, an applicant must be of good moral character and meet the following educational, clinical, supervised professional practice, and examination requirements.

(1) Applicants who apply for licensure on or before December 31, 2005.

(a) An applicant who applies for licensure as a Speech-Language Pathologist must submit evidence that the applicant meets the January 1, 1993, as amended on January 1, 1994, ASHA Standards and Implementation Procedures for a Certificate of Clinical Competence in Speech-Language Pathology available at [http://www.asha.org/about/membership-certification/handbooks/slp/slp\\_standards.htm](http://www.asha.org/about/membership-certification/handbooks/slp/slp_standards.htm); or meets the January 1, 2005, ASHA Standards and Implementation Procedures for a Certificate of Clinical Competence in Speech-Language Pathology available at [http://www.asha.org/about/membership-certification/handbooks/slp/slp\\_standards\\_new.htm](http://www.asha.org/about/membership-certification/handbooks/slp/slp_standards_new.htm).

(b) An applicant who applies for licensure as an Audiologist must submit evidence that the applicant meets the January 1, 1993, as amended on January 1, 1994, ASHA Standards and Implementation Procedures for a Certificate of Clinical Competence in Audiology available at [http://www.asha.org/about/membership-certification/handbooks/aud/aud\\_standards.htm](http://www.asha.org/about/membership-certification/handbooks/aud/aud_standards.htm).

(2) Applicants who apply for licensure as a Speech-Language Pathologist on or after January 1, 2006 must submit evidence that the applicant meets the January 1, 2005, ASHA Standards and Implementation Procedures for a Certificate of Clinical Competence in Speech-Language Pathology available at [http://www.asha.org/about/membership-certification/handbooks/slp/slp\\_standards\\_new.htm](http://www.asha.org/about/membership-certification/handbooks/slp/slp_standards_new.htm).

(3) Applicants who apply for licensure as an Audiologist on or before December 31, 2007 must submit evidence that the applicant meets the January 1, 1993, as amended on January 1, 1994, ASHA Standards and Implementation Procedures for a Certificate of Clinical Competence in Audiology available at [http://www.asha.org/about/membership-certification/handbooks/aud/aud\\_standards.htm](http://www.asha.org/about/membership-certification/handbooks/aud/aud_standards.htm) or meets the January 1, 2007 ASHA Standards and Implementation Procedures for a Certificate of Clinical Competence in Audiology available at [http://www.asha.org/about/membership-certification/certification/aud\\_standards\\_new.htm](http://www.asha.org/about/membership-certification/certification/aud_standards_new.htm).

(4) Applicants who apply for licensure as an Audiologist after January 1, 2008 must submit evidence that the applicant meets the January 1, 2007 ASHA

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Standards and Implementation Procedures for a Certificate of Clinical  
Competence in Audiology available at  
[http://www.asha.org/about/membership-  
certification/certification/aud\\_standards\\_new.htm](http://www.asha.org/about/membership-certification/certification/aud_standards_new.htm).

- (5) Applicants who apply for licensure as a Speech-Language Pathology Assistant or an Audiology Assistant on or before March 16, 2007 must:
  - (a) meet the educational requirements outlined in 2.03 (6); or,
  - (b) submit the following:
    - 1. evidence of employment in the role of a Speech-Language Pathology Assistant or Audiology Assistant, for at least 200 hours during an 18 month period, since December 16, 2001; properly documented unpaid experience may be considered at the discretion of the Board; and
    - 2. a waiver request form, provided by the Board, attesting to professional competency from a licensed Speech-Language Pathologist or Audiologist; or another supervisor that may be accepted at the discretion of the Board; or
  - (c) On a case by case basis, or for other good cause shown, the Board may grant a waiver.
- (6) Applicants who apply for licensure as a Speech-Language Pathology Assistant or Audiology Assistant on or after March 17, 2007 must:
  - (a) provide evidence of appropriate educational preparation;
    - 1. possess an associate's degree in Speech Language Pathology or Audiology, or
    - 2. possess a bachelor's degree from a college with a Speech-Language Pathology Assistant or Audiology Assistant program, or
    - 3. possess an associate degree, bachelor degree, or advanced degree in another discipline with major emphasis in Speech-Language Pathology or Audiology. This emphasis is to include a minimum of 18 semester credit hours, six of which must be in disorders of speech, language, or hearing; or other coursework as the Board may approve.
  - (b) have completed 20 hours of observation of clinical practice by a licensed Speech-Language Pathologist or Audiologist.

2.04: Reciprocal Licensure

The Board may, at its discretion and without examination, license a Speech-Language Pathologist, an Audiologist, a Speech-Language Pathology Assistant, or an Audiology Assistant who is duly licensed or registered under the laws of another state or territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico. Such an applicant must hold a current valid license from another state, district, or territory. The applicant must meet the requirements prescribed under 260 CMR in effect at the time of

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application. The applicant must report to the Board any previous reprimands, suspensions, or revocations of their license or any other Disciplinary Action. In its determination whether or not to reciprocally license an applicant, the Board may require any necessary documents for proper evaluation and payment of any relevant fees.

REGULATORY AUTHORITY

260 CMR 3.00: M.G.L. c. 112, §§ 138 through 147; c. 13, §§ 85 through 87.

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260 CMR 5.00: RENEWAL PROCEDURES

Section

- 5.01: License Renewal
- 5.02: Late Filing Fee
- 5.03: Dual Licensure in Speech-Language Pathology and Audiology
- 5.04: Procedures for Renewal of a Lapsed/Expired License

5.01: License Renewal

Licenses must be renewed every two years. The Board will issue licenses so as to establish a birth date expiration.

5.02: Late Filing Fee

Renewal forms and fees postmarked after the due date will be subject to a late filing fee.

5.03: Dual Licensure in Speech-Language Pathology and Audiology

An individual seeking licensure as a Speech-Language Pathologist and Audiologist must make separate application for each discipline and will be required to pay the full license and application fee for each discipline.

An individual seeking licensure as a Speech-Language Pathology Assistant and Audiology Assistant must make separate application for each discipline and will be required to pay the full license and application fee for each discipline.

5.04: Procedures for Renewal of a Lapsed/Expired License

(1) If a licensee fails to meet the license requirements for renewal of his/her license, the license of such person is considered lapsed or expired. A lapsed/expired license is a license not in good standing. A licensee with a lapsed/expired license is not authorized to practice Speech-Language Pathology or Audiology in the Commonwealth of Massachusetts during the period that the license is lapsed/expired.

(2) Reinstatement of a lapsed/expired license where the licensee practiced as a Speech-Language Pathologist, Audiologist, Speech-Language Pathology Assistant, or Audiology Assistant during the period the license was lapsed/expired.

When an applicant for reinstatement applies to reinstate a license which has been lapsed/expired the application is subject to approval by the Board. The applicant for reinstatement must submit:

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- (a) a completed renewal form;
- (b) payment of all past due renewal and late fees, as required by the Board;
- (c) documentation satisfactory to the Board showing completion of Continuing Education Activities, as defined in 260 CMR 7.00, as required by the Board;
- (d) submission of an affidavit signed under the pains and penalties of perjury by the Licensee and his/her employer listing the site(s) and date(s) where the Licensee has been practicing during the period the license was lapsed/expired;
- (e) any other pertinent information as required by the Board; and
- (f) the licensee may be required to personally appear before the Board.

(3) Reinstatement of a lapsed/expired license where the applicant for reinstatement did not practice as a Speech-Language Pathologist, Audiologist, Speech-Language Pathology Assistant, or Audiology Assistant during the period the license was lapsed/expired.

The applicant for reinstatement must submit the following

- (a) completion of renewal form;
- (b) payment of current application fee, license fee, and a late fee;
- (c) submission of an affidavit signed under the pains and penalties of perjury attesting that the applicant has not been practicing Speech-Language Pathology or Audiology during the period the license was lapsed/expired;
- (d) completion of Continuing Education Activities, as defined in 260 CMR 7.00, and as required by the Board.

Applicable only to Speech-Language Pathologists and Audiologists:

- (e) documentation satisfactory to the Board evidencing one of the following:
  - 1. current ASHA certification; or
  - 2. achievement of a passing score on the National Examination, in Audiology or Speech-Language Pathology, where the applicant passed such exam within six months of making the request for reinstatement.

REGULATORY AUTHORITY

260 CMR 5.00: M.G.L. c. 112, §§ 138 through 147; c. 13, §§ 85 through 87.

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260 CMR 7.00: CONTINUING EDUCATION

Section

7.01: Scope, Purpose and Regulatory Authority

7.02: Continuing Education Requirements

7.03: Evaluation and Verification of Continuing Education Hours and Programs

7.01: Scope, Purpose and Regulatory Authority

The purpose of continuing education is to assure high standards of practice of Speech-Language Pathologists and Audiologists by requiring licensees to participate in on-going educational activities. Through these experiences, licensees may increase their competence and enhance the knowledge obtained during prior education and training as a Speech-Language Pathologist and Audiologist.

7.02: Continuing Education Requirements

(1) General Requirements.

(a) Persons holding a license for more than one year before the last day of the license renewal period.

1. Licensees holding a license as either a Speech-Language Pathologist or Audiologist are required, as a condition of license renewal, to complete a minimum of the equivalent of 20 Continuing Education Hours per licensure renewal period (every two years). A minimum of ten of the total 20 Continuing Education Hours must be completed in the licensee's area of licensure.
2. Licensees holding licenses as both a Speech-Language Pathologist and Audiologist are required, as a condition of license renewal, to complete a minimum of 30 Continuing Education Hours per licensure renewal period (every two years). A minimum of ten of the total 30 Continuing Education Hours must be completed in the licensee's major area of clinical service delivery and a minimum of five of the Continuing Education Hours must be in the licensee's minor area of clinical service delivery.

(b) Persons holding initial licensure 6 months to one year before the last day of the license renewal period, are required to complete a minimum of ten, Continuing Education Hours (a minimum of four Continuing Education Hours in the area of licensure) before the date of renewal.



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(c) Persons holding initial licensure for 6 months or less before the last day of the license renewal period, are not required to complete any Continuing Education Hours for that renewal period.

(2) Restrictions on Certain Programs.

(a) Continuing Education Publications.

1. Continuing Education Publications authored by the licensee may be substituted for up to 20 Continuing Education Hours per licensure renewal period.
2. Sole authors may earn up to 20 Continuing Education Hours per licensure renewal period, and multiple authors may each receive 10 Continuing Education Hours per licensure renewal period for each publication.

(b) Continuing Education Instruction.

1. Instructors of a Continuing Education Program or a Continuing Education Academic Course may be credited one Continuing Education Hour for each hour of the Continuing Education Program Continuing Education Academic Course taught by the licensee, up to a maximum of ten Continuing Education Hours required per licensure renewal period.
2. Only the initial offering of a Continuing Education Program or a Continuing Education Academic Course may be credited as a Continuing Education Activity.

(c) Continuing Education Academic Course. A Continuing Education Academic Course may be substituted for not more than ten Continuing Education Hours per license renewal period.

(d) For each licensee, the licensee shall only obtain credit for those Continuing Education Activities that are non-duplicative.

(3) Only those Continuing Education Activities which are completed during the two year period prior to each renewal date will be acceptable as qualifying as a Continuing Education Activity.

7.03: Evaluation and Verification of Continuing Education Hours and Programs

(1) At the time of renewal, each licensee will be required to attest to his or her completion of the required hours of Continuing Education Hours on a form provided by the Board.

(2) The Board may randomly audit licensees as to satisfaction of the continuing requirements of 260 CMR 7.00.

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(3) The Board may request the verification described in 260 CMR 7.03(4) through 260 CMR 7.03(6) for the two most recently preceding license renewal periods.

(4) Continuing Education Program: For each Continuing Education Hour earned by participation in formal learning programs, a licensee must be able to provide verification of the following:

- (a) the title of the program;
- (b) the number of hours spent in the program;
- (c) the name of the Board Recognized Entity which sponsored the program; and
- (d) the date the licensee completed the program.

(5) Continuing Education Publications. For each Continuing Education Hour earned from the publication of books, chapters of books, and/or articles in referred journals, a licensee must be able to provide verification of the following information:

- (a) the title of the book, chapter or article and, in the case of a chapter or article, the title of the book or name of the journal in which it appears;
- (b) the date of publication;
- (c) the names of any co-authors; and
- (d) a copy of the book, chapter or article submitted in fulfillment of the Continuing Education Activity requirements.

(6) Continuing Education Instruction. For each Continuing Education Hour earned from the teaching of a Continuing Education Program or Continuing Education Academic Course, the licensee must be able to verify the following information:

- (a) the title of the course;
- (b) date(s) the course was presented;
- (c) institution or sponsoring agency; and
- (d) number of hours the licensee spent teaching.

REGULATORY AUTHORITY

261 CMR 7.00: M.G.L. c. 23, §§ 86 and 87 and c. 112, § 139.

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260 CMR 8.00: LOCATION OF LICENSEES

Section

8.01: Board Notification of Change in Name or Address

8.01: Board Notification of Change in Name or Address

The licensee shall notify the Board of any change in his or her name and mailing address. Such notification shall be submitted on a form provided by the Board within 30 days of the change in name or address.

REGULATORY AUTHORITY

260 CMR 8.00: M.G.L. c. 112, §§ 138 through 147; c. 13, §§ 85 through 87.

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260 CMR      **10.00 USE AND SUPERVISION OF SPEECH-LANGUAGE  
PATHOLOGY AND AUDIOLOGY ASSISTANTS**

Section

- 10.01 Definitions
- 10.02 Supervision and Documentation
- 10.03 Scope of Practice
- 10.04 Code of Ethics

10.01 Definitions

Supervising Speech-Language Pathologist: A Speech-Language Pathologist licensed by the Board, in good standing, who has been practicing for at least 2 years following licensure.

Supervising Audiologist: An Audiologist licensed by the Board, in good standing, who has been practicing for at least 2 years following licensure.

Direct Supervision: Direct supervision means on-site and in-view observation and guidance of an assistant who is performing an assigned activity during patient/client contact time. The supervisor will review data for all patients/clients seen by the assistant.

Indirect Supervision: Indirect Supervision means the oversight of activities, other than direct observation, performed by an assistant in order to provide guidance. These activities may include demonstration; record review; review and evaluation of recorded sessions; and supervisory conferences that may be conducted by telephone.

Screening: A pass-fail procedure to identify people who may require further assessment.

Plan of Care (Treatment Plan): This terminology includes, but is not limited to, the "Plan of Care," "Individualized Education Program (IEP)," or "Individualized Family Service Plan (IFSP)," and other titles that outline the care of the patient/client.

10.02 Supervision and Documentation

1. A Supervising Speech-Language Pathologist is required to inform patients/clients when services are to be provided by Speech-Language Pathology Assistants, before such services commence. A Supervising Audiologist is required to inform patients/clients when services are to be provided by Audiology Assistants, before such services commence.
2. The supervisor is responsible for the services provided by assistants.
3. A supervisor must verify that an assistant holds a current, valid license from the Board prior to the commencement of services.

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4. The supervisor must not delegate services requiring licensure to anyone not licensed by the Board.
5. The amount and type of supervision should be based on the skills and experience of the Speech-Language Pathology Assistant or Audiology Assistant, the needs of patients/clients being served, the service setting, and the tasks assigned.
  - a. At least 10% of services rendered by Assistants each month must be provided under Direct Supervision. An additional 10% of services must be supervised, either directly or indirectly.
  - b. Additional direct and indirect supervision, beyond the minimum 20% required may be necessary depending on the skills of the assistant and the needs of the patient/client. The supervisor will review each plan of care as needed for timely implementation of modifications.
  - c. The amount and type of supervision must be documented. Documentation must include hours of employment per month, and the date, type, and duration of supervision. The name, signature, and license number of the supervisor must appear on the form.
  - d. It is the responsibility of the assistant to maintain a record of such supervision and provide a copy of this record to the Board upon request, or for audit or license renewal purposes.
6. A supervisor may not supervise more than three assistants at any given time.

10.03 Scope of Practice

A Speech-Language Pathology Assistant or Audiology Assistant may perform the following tasks under the supervision of a Supervising Speech-Language Pathologist or Supervising Audiologist:

1. Assist speech-language and hearing screenings (without interpretation);
2. Assist with informal documentation as directed by the supervisor;
3. Follow documented treatment plans or protocols developed by the supervisor;
4. Document patient/client performance (e.g., tallying data for the speech-language pathologist to use; preparing charts, records, and graphs) and report this information to the supervisor;
5. Assist the speech-language pathologist or audiologist during assessment of patients/clients;
6. Assist with clerical duties such as preparing materials and scheduling activities as directed by the supervisor;
7. Perform checks and maintenance of equipment;

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8. Collect data for monitoring quality improvement.

A Speech-Language Pathology Assistant or Audiology Assistant **may not** perform tasks beyond the scope of his/her education and experience. A Speech-Language Pathology Assistant or Audiology Assistant:

1. May not perform standardized or nonstandardized diagnostic tests, formal or informal evaluations, or clinical interpretation of test results;
2. May not screen or diagnose patients/clients for feeding/swallowing disorders;
3. May not write, develop, or modify a patient's/client's individualized treatment plan in any way;
4. May not assist with patients/clients without following the individualized treatment plan prepared by the speech-language pathologist/audiologist, or without access to supervision;
5. May not sign any formal documents (e.g., treatment plans, reimbursement forms, or reports; the assistant should sign or initial informal treatment notes for review and co-signature by the supervising professional);
6. May not select patients/clients for service;
7. May not determine case selection;
8. May not interpret observations or data into diagnostic statements of clinical management strategies or procedures;
9. May not compose clinical reports except for progress notes to be reviewed by the supervisor and held in the patient/client records;
10. May not discharge a patient/client from services;
11. May not disclose clinical or confidential information either orally or in writing to anyone without a supervisor's approval;
12. May not make referrals for additional service;
13. May not consult with the patient/client, family or others, or participate in parent conferences, case conferences, or any interdisciplinary team meetings, regarding the patient/client status or service received without the Supervisor's approval;
14. May not develop, alter, or initially demonstrate swallowing strategies or precautions to patients, family, or staff;
15. May not represent himself or herself as a speech-language pathologist or audiologist orally or in writing;
16. May not perform tasks when a Supervising Speech-Language Pathologist or Supervising Audiologist cannot be reached by personal contact, phone, pager, or other immediate means or until a licensed Speech-Language Pathologist or licensed Audiologist with at least 2 years of experience has been designated as the supervisor.

10.04 Code of Ethics

1. Licensees shall provide all services competently.
2. Licensees shall not discriminate in the delivery of professional services or the conduct of research and scholarly activities on the basis of race or ethnicity, gender, age, religion, national origin, sexual orientation, or disability.

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3. Licensees shall adequately maintain and appropriately secure records of professional services rendered, research, and scholarly activities conducted.
4. Licensees shall not reveal, without authorization, any professional or personal information about identified persons served professionally or identified participants involved in research and scholarly activities unless required by law to do so, or unless doing so is necessary to protect the welfare of the person or of the community or otherwise required by law.
5. Licensees shall engage in only those aspects of the professions that are within the scope of their competence, considering their level of education, training and experience.
6. Individuals shall not misrepresent their credentials, competence, education, training, experience or scholarly or research contributions.
7. Licensees shall not participate in professional activities that constitute a conflict of interest.
8. Individuals shall not engage in dishonesty, fraud, deceit, misrepresentation, sexual harassment, or any other form of conduct that adversely reflects on the professions or on the individual's fitness to serve persons professionally.
9. Licensees shall not engage in sexual activities with patients, clients, or students over whom they exercise professional authority.
10. Licensees shall not provide professional services without exercising independent professional judgment, regardless of referral source or prescription.
11. Licensees shall not discriminate in their relationships with colleagues, students, and members of allied professions on the basis of race or ethnicity, gender, age, religion, national origin, sexual orientation, or disability.